

U.S.S.
(700712)51

UNITED STATES DISTRICT COURT

for

Western District Of Pennsylvania

U.S.A. vs. Hyst L Schobert

Docket No. 0315 2:09CR00016-001

Petition for Action on Conditions of Pretrial Release

COMES NOW Theodore W. Johnson, CHIEF PROBATION OFFICER OF THE COURT, presenting an official report upon the conduct of defendant Hyst L Schobert, who was placed under pretrial release supervision by the Honorable Robert C. Mitchell sitting in the COURT at Pittsburgh, PA, on the 23rd day of January, 2009, under the following conditions:

The defendant is to report to the U.S. Pretrial Services as directed.

The defendant is to abide by the following restrictions on personal association, place of abode, or travel: The defendant shall not depart the Western District of Pennsylvania.

The defendant is to avoid all contact, directly or indirectly, with any persons who are or who may become a witness in the subject investigation or prosecution, including but not limited to: Richard McLain

The defendant is to refrain from possessing a firearm, destructive device, or other dangerous weapons.

The defendant is to refrain from excessive use of alcohol.

The defendant is to refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.

The defendant is to submit to any method of testing required by the pretrial services office or the supervising officer for determining whether the defendant is using a prohibited substance. Such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing.

The defendant is to participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the pretrial services office or supervising officer.

The defendant is to refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is (are) required as a condition(s) of release.

The defendant is to participate in the following home confinement program components and abide by all the requirements of the program which will not include electronic monitoring or other location verification system.

Curfew. The defendant is restricted to his residence every day from 10:00 pm. to 6:00 a.m., or as directed by the pretrial services office or supervising officer.

FILED
2009 NOV -5 PM 2:10
CLERK
U.S. DISTRICT COURT

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

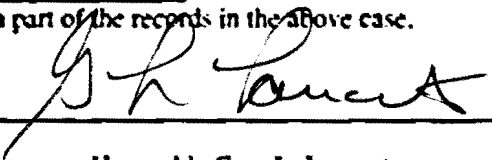
On October 30, 2009, this officer conducted an unannounced home contact with the defendant to obtain a random urine sample. The defendant admitted that he was supposed to report to Fayette County Drug and Alcohol the day before, but could not make the appointment. He appeared to be stalling and did not provide a urine sample. This officer instructed the defendant to report to the Fayette County Drug and Alcohol Facility to submit a urine sample by the end of the day. This officer met the defendant at the treatment facility to take an observed urine sample, which was forwarded directly to Kroll Incorporated, our national laboratory.

On November 4, 2009, this officer received confirmation that the test was positive for cocaine. The defendant was contacted telephonically on November 5, 2009, to address the results. He freely admitted that he was "partying a few days before" the sample was taken. He stated that he used crack cocaine, took some oxycotin, and ended the night with some "Zannies" (Zanex). He admitted that he was wrong in using the substances, and will continue to report to Fayette County Drug and Alcohol Facility for further testing unless otherwise directed.

PRAYING THAT THE COURT WILL ORDER THAT A BOND REVOCATION HEARING BE SCHEDULED BEFORE THIS COURT, AND THE DEFENDANT'S BOND BE REVOKED. SAID HEARING WILL BE HELD BEFORE THE UNDERIGNED ON FRIDAY NOVEMBER 13, 2009 AT 1 PM IN COURTROOM NO 3A.

ORDER OF COURT

Considered and ordered this 6th day
of Nov, 2009, and ordered filed and
made a part of the records in the above case.


Honorable Gary L. Lancaster
Chief U.S. District Judge

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 5, 2009


Dennis P. Martin
U.S. Pretrial Services/Probation Officer


Kimberly D. Williams
Supervising U.S. Pretrial Services/Probation Officer

Place Pittsburgh, Pennsylvania

cc: All Counsel of Record
US Marshal
US Pretrial Services